



**Date:** March 8, 2011

**To:** Thomas J. Bonfield, City Manager  
**Through:** Theodore L. Voorhees, Deputy City Manager  
**From:** Edward R. Venable, Manager of Engineering and Stormwater  
**Subject:** Agenda Item – Mini Assessment Roll

Minimum Dirt Street Opening on Yorkshire Drive from the South Property Line of Tax Map 768-2-6B to the North Property Line of Tax Map 768-2-7

### **Executive Summary**

The City Council, at its meeting on March 7, 2011, held a public hearing regarding the assessment of minimum dirt street opening on a portion of Yorkshire Drive. The assessment roll was confirmed with the exception of two properties, due to objections to the assessments by those owners. Council action is required to confirm or relieve the said assessments; therefore, the objections were referred to the April 4, 2011 City Council meeting for further consideration.

### **Recommendation**

The Public Works Department recommends that City Council confirm the minimum dirt street opening assessment against the property of David C. and Mary C. Summerlin in the original amount in accordance with policy as shown on the attached mini roll.

The Public Works Department recommends that City Council grant full relief of the minimum dirt street opening assessment against the property of York Woods Homeowners Association, Inc. as shown on the attached mini roll. The recommended relief is in accordance with policy.

### **Background**

David C. and Mary C. Summerlin objected to the proposed minimum dirt street opening assessment against their property, described as 3611 Yorkshire Drive, PIN 0803-02-76-6798. This property does not meet any of the criteria for relief established by the Assessment Relief Policy and is therefore not eligible for relief of the assessment.

York Woods Homeowners Association, Inc. objected to the proposed minimum dirt street opening assessment against its property, described as 3602 Yorkshire Drive, PIN 0803-02-86-3587. This property has been dedicated as open space and is therefore unbuildable. The property is eligible for full relief of the assessment under the Assessment Relief Policy.

### **Issues and Analysis:**

Section 77 of the Charter of the City of Durham dictates that City Council hold a public hearing before final confirmation of the mini assessment roll.

### **Alternatives:**

There is not an alternative per the City Charter.

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**Financial Impacts:**

Once the public hearing is held, the City can proceed with collecting payment for any assessments confirmed by City Council.

**SBDE Summary:**

N/A

ERV/lca